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10/554382

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571-273-9868

TO:

EXAMINER

Ms. Rita WHITE

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703-308-9140x231

ART UNIT

SERIAL NO.

10/554,382

FROM:

Mrs. GiGi LAMPRECHT

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**PHILIPS ELECTRONICS
Intellectual Property & Standards
P.O. Box 3001
Briarcliff Manor, NY 10510-8001 US
TELEPHONE: (914) 333-9619**

**DEAR MS. WHITE - Per your VM message, enclosed please find the application papers noting our Attorney Docket No., PHAT030027US, as requested.
Thank you.**

I certify that this document consisting of 22 pages (including this cover sheet) is being transmitted via facsimile to the United States Patent and Trademark Office at the telephone number set forth above on 571-273-9868.


Fax Operator

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TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER PHAT030027US
INTERNATIONAL APPLICATION NO. PCT/IB2004/050475	INTERNATIONAL FILING DATE April 21, 2004	U.S. APPLICATION NO. (if known, see 37 CFR 1.5)
TITLE OF INVENTION CIRCUIT FOR A COMMUNICATION PARTNER APPLIANCE HAVING TWO SEND MODES THAT CAN BE ACTIVATED		PRIORITY DATE CLAIMED April 29, 2003
APPLICANT(S) FOR DO/EO/US Franz AMTMANN; Markus HARNISCH; Holger KUNKAT; Stefan POSCH		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p style="margin-left: 20px;">a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p style="margin-left: 20px;">b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</p> <p style="margin-left: 20px;">c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p style="margin-left: 20px;">a. <input type="checkbox"/> is attached hereto.</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p style="margin-left: 20px;">a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p style="margin-left: 20px;">c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p style="margin-left: 20px;">d. <input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p>Items 11 to 20 below concern document(s) or information included:</p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the International application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: Express Mail Certificate; PTO/SB/80; PTO/SB/96; Charge Authorization; Receipt Confirmation Postcard</p>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO. PCT/IB2004/050475		ATTORNEY'S DOCKET NUMBER PHAT030027US	
The following fees have been submitted				CALCULATIONS	
21. <input checked="" type="checkbox"/> Basic national fee..... \$300				\$ 300.00	
22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)..... \$100 All other situations..... \$200				\$ 200.00	
23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared and provided to the Office..... \$400 All other situations..... \$500				\$ 400.00	
TOTAL OF 21, 22 and 23 =				\$ 900.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.482(h)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	19 - 20 =		x \$ 50	\$ 0.00	
Independent claims	2 - 3 =		x \$200	\$ 0.00	
			+ \$360	\$	
MULTIPLE DEPENDENT CLAIM(S) (If applicable)					
TOTAL OF ABOVE CALCULATIONS =				\$ 0.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/3.					
SUBTOTAL =				\$ 900.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.482(i)).				\$	
TOTAL NATIONAL FEE =				\$ 900.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$ 40.00	
TOTAL FEES ENCLOSED =				\$ 940.00	
				Amount to be refunded:	\$
				Amount to be charged:	\$ 940.00
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 14-1270 in the amount of \$ 940.00 to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1270. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO:					
Corporate Patent Counsel Philips Electronics North America Corporation P.O. Box 3001 Briarcliff Manor, NY 10510			<p>SIGNATURE</p> <p>David Barnea</p> <p>NAME</p> <p>47,407</p> <p>REGISTRATION NUMBER</p>		

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Atty. Docket

AMTMANN et al.

PHAT030027US

Serial No.

Group Art Unit

Filed: CONCURRENTLY

Ex.

CIRCUIT FOR A COMMUNICATION PARTNER APPLIANCE HAVING TWO SEND
MODES THAT CAN BE ACTIVATED

CERTIFICATE OF EXPRESS MAILING

[X] Express Mail Mailing Label No.

EV664855216-US

Date of Deposit:

10-25-05

I hereby certify that this paper and/or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Patents, PO Box, 1450, Alexandria, VA 22313-1450

Jeanne Rusclano

Typed Name

Signature

Jeanne Rusclano

PTO/SB/80 (11-04)

Approved for use through 11/30/2005. OMB 0651-0035
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(b).

I hereby appoint:

☒ Practitioners associated with the Customer Number:

24737

OR

☐ Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number	Name	Registration Number

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(b) to:

☒ The address associated with Customer Number:

24737

OR

<input type="checkbox"/> Firm or Individual Name			
Address			
City	State	Zip	
Country			
Telephone			Fax

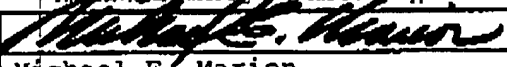
Assignee Name and Address:

KONINKLIJKE PHILIPS ELECTRONICS N.V.
 Groenewoudseweg 1
 5621 BA Eindhoven, The Netherlands

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/80 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

SIGNATURE of Assignee of Record

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Signature		Date	14 January 2005
Name	Michael E. Marion	Telephone	(914) 333-9637
Title	Authorized Representative		

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/96 (06-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Koninklijke Philips Electronics N.V.Application No./Patent No.: Concurrently Filed/Issue Date: ConcurrentlyEntitled: CIRCUIT FOR A COMMUNICATION PARTNER APPLIANCE HAVING TWO SEND MODES THAT CAN BE ACTIVATEDKoninklijke Philips Electronics N.V., a corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %
in the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.
(NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08)

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

10-20-05
Date
(814) 333-9693
Telephone number

DAVID BARNES, REG. 47,487

Typed or printed name

Signature

Corporate Counsel
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to be (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Atty. Docket

AMTMANN et al.

PHAT0300270S

Serial No.

Group Art Unit

Filed: CONCURRENTLY

Ex.

CIRCUIT FOR A COMMUNICATION PARTNER APPLIANCE HAVING TWO SEND MODES
THAT CAN BE ACTIVATED

Commissioner for Patents
Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT

Sir:

Prior to calculation of the filing fee and examination, please
amend the above-identified application as follows:

IN THE CLAIMS

Please amend the claims as follows:

1. (original) A circuit (2) for a first communication partner appliance (1) designed for contactless communication,

which first communication partner appliance (1) belongs to a communication system comprising at least one second such communication partner appliance (1'),

in which circuit (2) either an active send mode (ABM) or a passive send mode (PBM) may be activated and

wherein the circuit comprises terminal means (3, 4), which are provided to transmit carrier signals (TS1, TS2) usable for contactless communication, and

wherein the circuit (2) comprises communication signal processing means (16), with which communication signal processing means (16) a carrier signal (TS1) generated with the communication signal processing means (16) may be used for sending communication when the active send mode (ABM) is activated, and

with which communication signal processing means (16) a carrier signal (TS2) generated with a second communication partner appliance (1') and received by the circuit (2) via the terminal means (3, 4) may be used for sending communication when the passive send mode (PBM) is activated, and

wherein the circuit comprises determination means (15), which are designed to determine first energy source information (SI1), which first energy source information (SI1) is characteristic of at least one parameter of at least one energy source (11, 12) serving to supply the circuit with electrical energy, and

wherein the circuit (2) comprises decision means (26), which are designed to form a decision result taking account of the first energy source information (SI1) determined using the determination means (15), which decision result influences which send mode is to be activated in the circuit (2) of the first communication partner appliance (1).

2. (original) A circuit (2) as claimed in claim 1, wherein the determination means (15) are designed to determine first value information (VI1), which first value information (VI1) is characteristic of the value of the energy available for supplying the circuit (2) and which first value information (VI1) is contained in the first energy source information (SI1).

3. (original) A circuit (2) as claimed in claim 1, wherein the determination means (15) are designed to determine first type information (MI1), which first type information (MI1) is characteristic of the type of energy source (11, 12) serving to

supply the circuit (2) and which first type information (MI1) is contained in the first energy source information (SI1).

4. (original) A circuit (2) as claimed in claim 1, wherein the decision means (26) are additionally designed to form the decision result taking account of second energy source information (SI2) available in the circuit (2) but determined in a circuit (2') of a second communication partner appliance (1'), which second energy source information (SI2) is characteristic of at least one parameter of at least one energy source (11', 12', 11'', 12') serving to supply the circuit (2') of the second communication partner appliance (1') with electrical energy, which decision result influences which send mode is to be activated in the circuit (2) of the first communication partner appliance (1).

5. (original) A circuit (2) as claimed in claim 4, wherein the decision means (26) are additionally designed to form the decision result taking account of second value information (VI2) available in the circuit (2) but determined in the circuit (2') of the second communication partner appliance (1'), which second value information (VI2) is contained in the second energy source information (SI2) determined in the circuit (2') of the second communication partner appliance (1').

6. (original) A circuit (2) as claimed in claim 4, wherein the decision means (26) are additionally designed to form the decision result taking account of second type information (MI2) available in the circuit (2) but determined in the circuit (2') of the second communication partner appliance (1'), which second type information (MI2) is contained in the second energy source information (SI2) determined in the circuit (2') of the second communication partner appliance (1').

7. (original) A circuit (2) as claimed in claim 1, wherein the decision means (26) are designed to communicate the decision result to the second communication partner appliance (1') with the aid of the communication signal processing means (16).

8. (currently amended) A circuit (2) as claimed in claim 1 ~~or as claimed in claim 4~~, wherein control means (27) are provided, which are designed to receive the decision result and which, if according to the decision result the send mode other than the previously activated send mode is to be activated, are designed to terminate the previously activated send mode, thus terminating a communication protocol used therefor, and to activate the send mode

to be activated according to the decision result, restarting the stated communication protocol.

9. (currently amended) A circuit (2) as claimed in claim 1 ~~ex as claimed in claim 4~~, wherein control means (27) are provided, which are designed to receive the decision result and which, if according to the decision result the same send mode as the previously activated send mode is to be activated, are designed to maintain the previously activated send mode, with termination and subsequent restart of a communication protocol used.

10. (currently amended) A communication partner appliance (1) having a circuit (2) as claimed in ~~any one of claims 1 to 9~~ claim 1.

11. (original) A method of controlling a circuit (2) with regard to its send modes, which circuit (2) is provided for a first communication partner appliance (1) designed for contactless communication, which first communication partner appliance (1) belongs to a communication system comprising at least one second such communication partner appliance (1'), and which circuit (2) comprises terminal means (3, 4), which are provided to transmit carrier signals (TS1, TS2) usable for contactless communication, and in which circuit (2) either an active send mode (ABM) or a

passive send mode (PBM) may be activated, in which active send mode (ABM) a carrier signal (TS1) that can be generated by communication signal processing means (16) of the circuit (2) may be used for sending communication by means of the communication signal processing means (16) and in which passive send mode (PBM) a carrier signal (TS2) received by the circuit (2) may be used for sending communication,

wherein first energy source information is determined (SI1), which first energy source information (SI1) is characteristic of at least one parameter of at least one energy source (11, 12) serving to supply the circuit (2) with electrical energy, and

wherein a decision result is formed taking account of the determined first energy source information (SI1), which decision result influences which send mode is to be activated in the circuit (2) of the first communication partner appliance (1).

12. (original) A method as claimed in claim 11, wherein first value information (VI1) is determined, which first value information (VI1) is characteristic of the value of the energy available for supplying the circuit (2) and which first value information (VI1) is contained in the first energy source information (SI1).

13. (original) A method as claimed in claim 11, wherein a first type information (MI1) is determined, which first type information (MI1) is characteristic of the type of energy source (11, 12) serving to supply the circuit (2) and which first type information (MI1) is contained in the first energy source information (SI1).

14. (original) A method as claimed in claim 11, wherein a decision result is formed additionally taking account of second energy source information (SI2), available in the circuit (2) but determined in a circuit (2') of a second communication partner appliance (1'), which second energy source (SI2) is characteristic of at least one parameter of at least one energy source (11', 12', 11'', 12'') serving to supply the circuit (2') of the second communication partner appliance (1) with electrical energy, which decision result influences which send mode is to be activated in the circuit (2) of the first communication partner appliance (1).

15. (original) A method as claimed in claim 14, wherein the decision result is formed additionally taking account of second value information (VI2) available in the circuit (2) but determined in the circuit (2') of the second communication partner appliance (1'), which second value information (VI1) is contained in the

second energy source information (SI2) determined in the circuit (2') of the second communication partner appliance (1').

16. (original) A method as claimed in claim 14, wherein the decision result is formed additionally taking account of second type information (MI2) available in the circuit (2) but determined in the circuit (2') of the second communication partner appliance (1'), which second type information (MI1) is contained in the second energy source information (SI2) determined in the circuit (2') of the second communication partner appliance (1').

17. (original) A method as claimed in claim 11, wherein the decision result is communicated to the second communication partner appliance (1') with the aid of the communication signal processing means (16).

18. (currently amended) A method as claimed in claim 11 ~~or as claimed in claim 14~~, wherein, if according to the decision result the send mode other than the previously activated send mode is to be activated, the control means (27) of the circuit (2) designed to receive the decision result terminate the previously activated send mode through termination of a communication protocol used therefor,

and the send mode to be activated according to the decision result is activated with a restart of said communication protocol.

19. (currently amended) A method as claimed in claim 11 ~~or as~~
~~claimed in claim 14~~, wherein, if according to the decision result the same send mode as the previously activated send mode is to be activated, the control means (27) of the circuit (2) designed to receive the decision signal maintain the previously active send mode through termination and subsequent restart of a communication protocol used.

REMARKS

The foregoing amendments to the claims were made solely to avoid filing the claims in the multiple dependent form so as to avoid the additional filing fee.

The amendment to the claims does not address issues of patentability and Applicants respectfully reserve all rights they may have under the Doctrine of Equivalents. Applicants furthermore reserve their right to reintroduce subject matter deleted herein at a later time during the prosecution of this application or continuing applications.

Respectfully submitted,



By _____
David Barnes, Reg. 47,407
Attorney
(914) 333-9693

COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY
(includes Reference to PCT International Applications)**ATTORNEY'S DOCKET
NUMBER
PHAT030027 US**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **«Circuit for a communication partner appliance having two send modes that can be activated»**
the specification of which (check only one item below):

☒ is attached hereto.

☐ was filed as United States application

Serial No _____

on _____

and was amended

on _____

☐ was filed as PCT international application

Number _____

on _____

and was amended under PCT Article 19

on _____

applicable).

(if

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

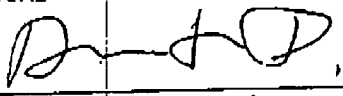
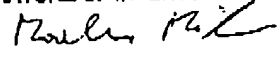
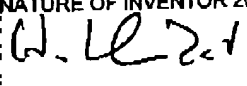
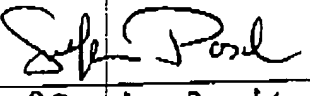
I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. 119:

COUNTRY	APPLICATION NUMBER	DATE OF FILING DAY, MONTH, YEAR	PRIORITY CLAIMED UNDER 35 USC 119
EP	03 101 168.7	29-04-2003	YES

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(July 1994)

Combined Declaration For Patent Application and Power of Attorney (Continued) (includes Reference to PCT International Applications)				Attorney's Docket Number PHAT030027 US	
POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration number)					
Jack E. Haken, Reg. No. 26,902 Michael E. Marion, Reg. No. 32,266 Edward M. Blocker, Reg. No. 30,245				Direct Telephone Calls to: (name and telephone number) (914)332-0222	
201	FULL NAME OF INVENTOR	FAMILY NAME AMTMANN	FIRST GIVEN NAME Franz	SECOND GIVEN NAME ---	
	RESIDENCE & CITIZENSHIP	CITY Graz	STATE OR FOREIGN COUNTRY Austria	COUNTRY OF CITIZENSHIP Austria	
	POST OFFICE ADDRESS	POST OFFICE ADDRESS Rechbauerstrasse 15	CITY A-8010 Graz	STATE & ZIP CODE/COUNTRY Austria	
202	FULL NAME OF INVENTOR	FAMILY NAME HARNISCH	FIRST GIVEN NAME Markus	SECOND GIVEN NAME ---	
	RESIDENCE & CITIZENSHIP	CITY Graz	STATE OR FOREIGN COUNTRY Austria	COUNTRY OF CITIZENSHIP Austria	
	POST OFFICE ADDRESS	POST OFFICE ADDRESS Hauslabgasse 7/1/2	CITY A-8010 Graz	STATE & ZIP CODE/COUNTRY Austria	
203	FULL NAME OF INVENTOR	FAMILY NAME KUNKAT	FIRST GIVEN NAME Holger	SECOND GIVEN NAME ---	
	RESIDENCE & CITIZENSHIP	CITY Graz	STATE OR FOREIGN COUNTRY Austria	COUNTRY OF CITIZENSHIP Germany	
	POST OFFICE ADDRESS	POST OFFICE ADDRESS Papierfabrikgasse 7	CITY A-8045 Graz	STATE & ZIP CODE/COUNTRY Austria	
204	FULL NAME OF INVENTOR	FAMILY NAME POSCH	FIRST GIVEN NAME Stefan	SECOND GIVEN NAME ---	
	RESIDENCE & CITIZENSHIP	CITY Graz	STATE OR FOREIGN COUNTRY Austria	COUNTRY OF CITIZENSHIP Austria	
	POST OFFICE ADDRESS	POST OFFICE ADDRESS Gottlieb-Remschmidt-Gasse 16/7	CITY A-8045 Graz	STATE & ZIP CODE/COUNTRY Austria	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.					
SIGNATURE OF INVENTOR 201		SIGNATURE OF INVENTOR 202		SIGNATURE OF INVENTOR 203	
					
DATE 20.04.2004		DATE 21.04.2004		DATE 22.04.2004	
SIGNATURE OF INVENTOR 204					
					
DATE 20.04.2004					

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OMB No. 0651-0027 (exp. 6/30/2008)

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Docket # PHAT030027US

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Franz AMTMANN; Markus HARNISCH; Holger KUNKAT; Stefan POSCH

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3. Nature of conveyance/Execution Date(s):

Execution Date(s) 12/20/04; 12/21/04; 12/22/04; 12/20/04.

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☐ Security Agreement ☐ Change of Name
☐ Joint Research Agreement
☐ Government Interest Assignment
☐ Executive Order 9424, Confirmatory License
☐ Other

2. Name and address of receiving party(ies)

Name: KONINKLIJKE PHILIPS ELECTRONICS, N.V.

Internal Address:

Street Address: GROENENWOUDESEWEG 1

City: EINDHOVEN

State:

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Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application or patent number(s):

A. Patent Application No.(s)

☒ This document is being filed together with a new application.

B. Patent No.(s)

Not assigned yet.

Additional numbers attached? ☐ Yes ☒ No

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Name: PHILIPS ELECTRONICS NORTH AMERICA CORP.

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City: BRIARCLIFF MANOR

State: NY Zip: 10510-8001

Phone Number: (914) 945-8000

Fax Number: (914) 332-0815

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6. Total number of applications and patents involved: 1**7. Total fee (37 CFR 1.21(h) & 3.41) \$40.00**

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9. Signature:

Signature

Date

David Barnes, Reg. 47,407

Name of Person Signing

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U.S.A. Sole/Joint

ASSIGNMENT

ocket No. PHAT030027 US

For good and valuable consideration, of which I acknowledge receipt, I, as a below-named assignor, sell and assign to Koninklijke Philips Electronics N.V. (hereinafter "Assignee") a corporation existing under the laws of Kingdom of the Netherlands, whose business address is Groenewoudseweg 1, 5621 BA Eindhoven, the Netherlands, its successors and assigns, the application for a United States Patent for the improvements in a «Circuit for a communication partner appliance having two send modes that can be activated» invented by us, which application:

- ☐ is executed concurrently herewith
☐ was executed by me/us on
☐ is Serial No. filed
☐ is International Application No. filed

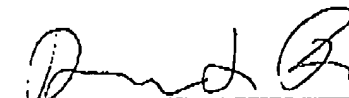
and all rights in and to said application, and all Patents which may be granted therefor, and all divisions, reissues, continuations and extensions thereof, and authorize and request the Commissioner of Patents and Trademarks to issue all Patents on said improvements or resulting therefrom to said Assignee as assignee of the entire interest and covenant that I have full right so to do, and agree that I will communicate to said Assignee or its representatives any facts known to me respecting said improvements and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid said Assignee, its successors, assigns and nominees, to obtain and enforce proper protection for said invention.

20.04.2004

Date

(sign name here)

(print name here)



Franz AMTMANN

, Assignor

21.04.2004

Date

(sign name here)

(print name here)



Markus HARNISCH

, Assignor

22.04.2004

Date

(sign name here)

(print name here)



Holger KUNKAT

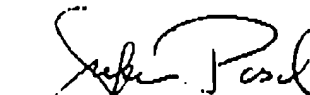
, Assignor

20.04.2004

Date

(sign name here)

(print name here)



Stefan POSCH

, Assignor

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Atty. Docket

AMTMANN et al.

PHAT030027US

Serial No.

Group Art Unit

Filed: CONCURRENTLY

Ex.

CIRCUIT FOR A COMMUNICATION PARTNER APPLIANCE HAVING TWO SEND MODES
THAT CAN BE ACTIVATED

Commissioner for Patents
Alexandria, VA 22313-1450

AUTHORIZATION PURSUANT TO 37 CFR §1.136(a) (3)
AND TO CHARGE DEPOSIT ACCOUNT


Sir:

The Commissioner is hereby requested and authorized to treat any concurrent or future reply in this application requiring a petition for extension of time for its timely submission, as incorporating a petition for extension of time for the appropriate length of time.

Please charge any additional fees which may now or in the future be required in this application, including extension of time fees, but excluding the issue fee unless explicitly requested to do so, and credit any overpayment, to Deposit Account No. 14-1270.

Respectfully submitted,

By


David Barnes, Reg. 47,407

Attorney

(914) 333-9693

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